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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,362	12/05/2000	Itzhak Shoher	SHO-2000-4	3707

7590 06/15/2004
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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 06/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,362

Applicant(s)

SHOHER, ITZHAK

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

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Preliminary Note: The amendment of 3/22/04, which has been entered following the continuation request, lists claims 5 and 6. Since claim 5 previously existed in the record and was cancelled, the claims have been renumbered as claims 6 and 7.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al. (U.S. Patent 6,097,374) in view of Official Notice.

Claim 6: Reference is made to FIG. 2. The system of FIG. 2 is essentially a base station that includes a wireless keyboard and a video monitor (14). The base station can communicate with a first computer via a modem (59). The first computer is at a remote location. The base station, with its wireless keyboard and video monitor are at the second location.

The keyboard that is used at the base station (second location) is an optical wireless keyboard that forms the keyboard processing unit. The A/D converter (25) is an ASCII encoder since it encodes ASCII standard characters typed into the keyboard into digital data. The D/A converter (23) is a decoder since it decodes digital signals back into analog form. The wireless communicating device is the RF transmission system (33, 34, 36, 37, 28—also col. 9, lines 36-37) which is part of the optical keyboard. A modem (59) exists to communicate with the first computer. Communications can be made between the keyboard processing unit (wireless keyboard) and the first computer at a remote location. For example, data from the keyboard can be transmitted to the first computer and vice versa.

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Howard differs in that the base station does not incorporate a browser so that items displayed on the video monitor (14) are controlled by a browser. Howard also does not disclose the communications network as being the Internet. However, Examiner takes Official Notice that both browsers and the Internet itself were well and in worldwide use at the time of applicant's invention.

It would have been obvious to one of ordinary skill in the art to modify the base station of FIG. 2 of Howard to include browser software so as to permit selective display of data on the video monitor (14). It would have been obvious to one of ordinary skill in the art to deploy the Internet as the communication medium for communicating between the first computer and the base station since the Internet is both economical to use and widely available.

Claim 7: Howard illustrates a video monitor (14) as part of the base station. No patentable distinction is found to exist between a "TV" and a "video monitor" since a television is in fact a video monitor. Howard further discloses an RF transmitter (34, also see col. 9, lines 36-37) and modulator (33) in the keyboard processor.

This office action is non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175